WASHINGTON

President Johnson's Answers to the Articles of Impea hment.

REPLICATION OF THE HOUSE MANAGERS.

Hot Haste of the Radicals to Proceed With the Trial.

WASHINGTON, March 23, 1868.

eachment show, as a rush and a high priced entertainment to be seen at any cost, proved after tickets; members of Congress distributed those they received quietly among their female relatives, and as a consequence the audience was decorous, was seven-eights feminine, and was fashionably obfact, has become a bore. The only attraction that seems to draw a crowd is the array of showy and fluttering fans in the galleries, which night be likened to parterres or flower beds agitated breeze. This it might be worth fifty or so to see, for one has to visit a theatre o such like institution to see so much grouping color and so many pretty faces. This, of course, is from a masculine point of view. Among the ladies it was difficult to ne whether it afforded any greater interest than a lecture on the primeval condition of the races. No one fell asleep, it is true, but many faces betokened an unmistakeable expression of ennut, and when the symptom betrayed itself that counsel on very general disposition on the part of audience to betake themselves homeward. Ben Wade takes a sensible view of the whole affair when he says that in a few days the thing will become like an old fashioned case igation in the courts, which, for the first few days, will be attended by everybody, because every-body thinks it is something he ought to see, but as ing turns up worth wasting the time to wait for the crowd diminishes and leaves 'the matter to the ansel, Judge and jury. To-morrow tickets will be at a discount, and it is to be supposed the flower beds, or in other words the galleries, will be culled of Meeting of the Managers-The Replication

Resolved Upon. of the Board of Managers of Impeach ment on the part of the House of Representatives met this evening at the rooms of Mr. John A. Bingand details of the replication to be presented to the Senate to-morrow at one o'clock, in reply to the answers of the President. The following is the replication at this time determined upon:-

plication at this time determined upon:

By the House of Representatives of the United States to the answer and plea of Andrew Johnson, President of the United States, to the articles of impeachment exhibited against him by the said House of Representatives:

The Honse of Representatives, having considered the answer and plea of Andrew Johnson, President of the United States, to the articles of impeachment against him by them exhibited in the name of themselves and of all the people of the United States, reply that the said Andrew Johnson, President of the United States, is guilty of high crimes and misdemennors, in manner and form as charged against him as aforesaid, anything in his answers to the contrary notwithstanding; and this the House of Representatives is ready to make good when the Senate is ready to hear.

The Board of Managers will meet in full session tomorrow morning at ten o'clock, when the replica-

orrow morning at ten o'clock, when the replication will be finally acted upon. Several special averments will then be considered, but it is not certain that they will be incorporated in the replica tion, as it is considered that a general replication is all that will be necessary.

It is now understood that Mr. Butler will lead off the argument on behalf of the House of Representa-

The absence of Judge Black's name from the answer of the President to the articles of impeachment presented to the Senate to-day has given rise to a variety of speculations as to this rather strange and unexpected phase of the question on the side of the ent. The statements that Judge Black and the President had quarrelled are unauthorized. It is known that the Judge accords with the general line of defence mapped out, though he does not The coincide exactly with some of the details. ition he has assumed, and it is now extremely oubtful whether he will appear in the trial at all, perations which he has laid out.

Generals Hancock and Gordon Granger Before the Impeachment Managers.

Major General Hancock and Major General Gordon Granger were before the Impeachment Managers today. They were separately interrogated as to any conversations they had had with the President respecting military matters. The former was especially asked the reason of his coming to Washington by order of the President. He stated that he had previously asked to be relieved from the command of the Fifth Military Department, and to be sent to St. Louis to await orders, and that the President desired to converse with him on that subject and on the state of affairs in Louisiana. The President had said nothing to him apart from these matters, nor had the Presi determined to relieve him from his present command.

The President has spent the great portion of to-day in company with one of his secretaries engaged in business of a private nature. Until twelve o'clock he was in conference with his counsel, Messrs. Stan-bery, Evarts, Curtis and Black, when the answer to to the summons of the Court of Impeach was read, and everything put in readi-ness for the commencement of the trial. After the departure of the President's counsel he granted interviews to Secretary McCulloch and several gentlemen who were waiting to see him. These visitors having been attended to the President retired from his office, and gave directions to the day. He then proceeded to the Secretary's room, where he spent the remainder of the afternoon.

At eight o'clock this evening the President held another levee. The parlors of the White House more crowded this evening than at Cabinet officers, a large representation of the Foreign Ministers, a great number of army and navy officers, Senators and Representatives, and a perfect host of citizens generally, were present. General Hancock was present in uniform and stopped during the evening in the reception room. It is thought that the levee on Monday night next will be

THE HIGH COURT OF IMPEACHMENT.

Trial of President Andrew Johnson, Charged with High Crimes and Misdemeanors.

Second Day's Proceedings.

UNITED STATES SENATE CHAMBER, WASHINGTON, March 25, 1868.

At one o'clock the Chief Justice entered the Senate chamber by a side door to the left of the Chair and

called the Senate to order.

The Sergeant-at-Arms made the usual proclamation commanding silence, whereupon the Managers Appeared at the door.

The Sergeant-at-Arms announced the Managers of

bery occupying the extreme right.

The Sergeant-at-Arms then announced the House of Representatives, and the members of the House appeared headed by Mr. Washburne on the arm of Mr. McPherson, Clerk of the House, and took their seats outside the bar by direction of the Chief Justice, and the Secretary of the Senate then read the ninutes of the proceedings of Friday, the 13th inst. Mr. Doolittle was called by the Clerk, and came

Senator Davis, (dem.) of Ky., said:—Mr. Chief Jus tice-I rise to make the same proposition to this court that I made to the Senate. I think that now is the appropriate time, before the Senate proceeds to take up the case. I therefore submit to the court The SECRETARY read as follows:-

Mr. Davis, a member of the Senate in the Court of Impeachment, moves the court to take this order—that the constitution having invested the Senate with the sole power to try articles of impeachment of the President of the United States preferred by the House of Representatives, and, having provided that the Senate shall be composed of two Senators from each State, to be chosen by the Legislature thereof; and the States of Virginia, North Carolina, South Carolina, Georgia, Alabama, Mississippi, Arkansas, Texas, Louisiana and Florida having each chosen two Senators, who have been excluded from their seats respectively, ordered that the Court of Impeachment for the trial of the President cannot be legally and constitutionally formed while the Senators from the States aforesaid are thus excluded from the Senate, and which objection continues until Senators from these States are permitted to take their seats by the Senate, subject to all continuing acceptions and objections to their return

Senator Howard, (rep.) of Mich .- Mr. President The CHIEF JUSTICE-The question must be decided

Senator Conness-I desire to submit a motion which will meet the case. I maye that the motion e not received, upon which I call for the yeas and

ruestion of order.

The Chief Justice—The Senator will state his

Senator Howk-I would ask if the motion offered by the Senator from Kentucky be in order?

The CHIEF JUSTICE—The motion comes before Senate in the form of a motion submitted, made by a ment. The twenty-third rule requires that all the orders and decisions shall be made and had by yeas without debate, subject, however, to the operation of rule seven. The seventh rule requires the presiding without admission all questions of evidence in incine-fifth of the members present, be decided by yeas and nays. The question, then, being on a proposition submitted by a Senator under the twenty-third rule, it is in order.

Mr. CONNESS, (rep.) of Cal.-Mr. President, is the motion submitted by me in order?

CHIEF JUSTICE-No, sir. The call for the yeas and nays was ordered, and they were called, Messrs. Davis and McCreery only voting "aye." Messrs. Saulsbury, Bayard and Wade did not vote. So the motion was not agreed to.

THE PRESIDENT'S ANSWEB. Mr. STANBERY then rose and said:-Mr. Chief Justice, in obedience to an order of this honorable court, made at the last session, that the answer of the President should be filed to-day, we have it ready. The counsel for the President, abandoning all other business, some of us quitting our courts our cases and our clients, have devoted every hour to the consideration of this case. The labor has been incessant. We have devoted, as I say, not only every hour ordinarily devoted to business, but many required for necessary rest and recreation have been consumed in it. It is a matter of regret that the court did not allow us more time for preparation; nevertheless we hope that the answer will be found in all respects sufficient, such as it is. We are now ready to read and file it.

In the Senate of the United States, sitting as a Court

In the Senate of the United States, sliting as a Court of Impeachment for the trial of Andrew Johnson, President of the United States. The answer of the said Andrew Johnson, President of the United States, to the articles of impeachment exhibited against him by the House of Representatives of the United States:—

Answer to Article 1—For answer to the first article he says that Edwin M. Stanton was appointed Secreary for the Department of War on the 15th day of January, A. D. 1862, by Abraham Lincoln, then President of the United States during the first term of his presidency, and was commissioned, according to the is sman from thine to the President of the United States agreeably to the constitution relative to the subject within the scope of salid department; and furthermore, that the said Secretary shall conduct the business of the said department in such a manner as the President of the United States shall from time to time order and instruct. And this respondent, further answering, says that by force of the act aforesaid, and by reason of his appointment aforesaid, the said Stanton became the principal officer in one of the executive departments of the government, within the true intent of the second section of the second article of the constitution of the United States, according to the true intent and meaning of that provision of the constitution of the United States, according to the true intent and meaning of that provision of the constitution of the United States. The said Stanton then became, and so long as he should continue to hold the office of Secretary for the Department of War must continue to be, one of the advisers of the President of the United States as well as the person entrusted to act for and represent the President in matters enjoined upon hin or entrusted to him by the President, the President is by the constitution and laws of the United States made responsible. And this respondent, further answering, says he succeeded to the office of President of the United States, on the 16th day of April, 1865; and the said Edwin M. Stanton was then holding the said effect of Secretary for the Department of War, under and by reason of the appointment and commission aforesaid, and not having been removed from the said effect of Neuroland, then President of the United States, on the 16th day of April, 1865; and the said Edwin M. Stanton was then holding the said office of Secretary for the Department of War, and having the constitutional right to resort to and rely upon the person holding that office for the conduct of the General President, and the resident, and the resident to the President, and the residen

Sin—Public considerations of a high character constrain me to say that your resignation as Secretary of War will be accepted.

To which note the said Stanton made the following reply:—
Wan Department, Washioton, Aug. 5, 1867.
Sin—Your note of this day has been received, stating that "public considerations of a high character constrain you to say that my resignation as Secretary of War will be accepted." In reply I have the honor to say that public considerations of a high character, which alone have induced me to continue at the head of this department, constrain me not to restin the office of Secretary of War before the next meeting of Congress. Very respectfully yours.

EDWIN M. STANTON.

The Sergeant-at-Arms announced the Managers of the Impenchment on the part of the House of Representatives, and the Chief Justice said:—The Managers will take the seats assigned to them by the Senate.

Messrs. Bingham and Bontwell led the way up the aisles and took their seats. In the meantime Messis. Stanbery, Curfis, Neison, Everts and Grocabeek, Pouncil W. 11: President and meantime Messis.

General shall hold their offices respectively for and curing the term of the President by whom they may have been appointed, and for one mouth thereafter, subject to removal by and with the advice and consent of the Senate.

This respondent was also aware that this act was understood and intended to be an expression of the opinion of the Congress by which that act was passed: that the power to remove the Executive officers for cause might, by law, be taken from the President and vested in him and the Senate jointly; and although this respondent had arrived at and still retained the opinion above expressed, and verily believed, as he still believes, that the first section of the last mentioned act was, and is, wholly inoperative and void, by reason of its conflict with the constitution of the United States, yet inasmuch as the same had been enacted by the constitutional majority in each of the two houses of that Congress, this respondent considered it to be proper to examine and decide whether the particular case of the said Stanton, on which it was this respondent's duty to act, was within or without the terms of that first section of the act, or if within it, whether the President had not the power, according to the terms of the act, to remove the said Stanton from the office of Secretary for the Department of War, and having in his capacity of President of the United States oc examined and considered, did form the opinion that the case of the said Stanton and his tenure of office were not affected by the first section of the last named act. And this respondent, further answering, says, that although a case thus existed which, in his judgment, as President of the United States, called for the exercise of the executive power to remove the said Stanton from the office of Secretary for the Department of War, and although this respondent was of opinion, as is above shown, that under the constitution of the United States; and although this respondent was of opinion, as is above shown, that the case of the said stan dent, and to be necessary for the complete and proper execution of his constitutional duties, and should be in some proper way submitted to that judicial department of the government entrusted by the constitution with the power, and subjected by it to the duty, not only of determining finally the construction and enect of all acts of Congress, but by comparing them with the constitution of the United States and pronouncing them inoperative when found in condict with that fundamental law which the people have enacted for the government of all their servants; and to these ends, first, that through the action of the Senate of the United States the absolute duty of the President to substitute some fit person in place of Mr. Stanton as one of his advisers, and as a principal subordinate officer, whose official conduct he was responsible for and had lawful right to control, might, if possible, be accomplished without the necessity of raising any one of the questions aforesaid; and second, if this duty could not be so performed, then that these questions, or such of them as might necessarily arise, should be judicially determined in the manner aforesaid, and for no other end or purpose. This respondent, as President of the United States, on the 12th day of August, 1867, seven days after the reception of the letter of the said Stanton, of the 5th day of August, 1867, seven days after the reception of the letter of the said Stanton, of the 5th day of August, hereinbefore stated, did issue to the said Stanton the order foliowing, viz.:—

Executive Mannerox, August 12, 1867.5

**Stre—By virtue of the power and authority vetted in me as President by the constitution and laws of the United in me as President by the constitution and laws of the United in me as President by the constitution and laws of the United in me as President by the constitution and laws of the United in me as President by the constitution and laws of the United in me as President by the constitution and laws of the United in me as President by the

EXECUTIVE MANSION.

WASHINGTOR, August 12, 1867.;

SIE—By virtue of the power and authority vested in me as President by the constitution and laws of the United States, you are hereby suspended from office as Secretary of War, and will cease to exercise any and all functions pertaining to the name. You will at once transfer to General Ulysses S. Grant, who has this day been authorized and employed to act as Secretary of War of interim, all records, books, papers and other public property now in your custody and charge.

The Hom. Edward M. Stanton, Secretary of War.

To which said order the said Stanton made the following renly:—

To which said order the said Stanton made the following roply:—

WARHINGTON CITY, Aug. 12, 1867.

SIB—Your note of this date has been received informing me that by virtue of the powers vested in you as President by the constitution and laws of the inited Staies I am suspended from office as Secretary of War, and will cease to exercise any and all functions perishing to the same, and also directing me at once to transfer to General Ulysses S. Grant, who has this day been sutherized and empowered to act as Secretary of War ad interim, all records, books, papers and other public property new in my custody and charge. Under a sense of public duty I am compelled to deny your right under the constitution and laws of the United States without the advice and conseent of the Senate, and without legal cause to supered me from office as Secretary of War, or the exercise of any ordiffurnity of the same, and ordiffurnity of the same of the superior force.

To the President.

And this respondent further answering says:—

pointment. I have no alternative but to submit under protest cauperfor force.

To the President.

And this respondent further answering says:—That it is provided in and by the second section of an act to regulate the tenure of certain civil officers that the President may suspend an onlicer from the performance of the duties of the office held by him for certain causes therein designated until the next meeting of the Senate and until the case has been acted on by the Senate; that this respondent, as President of the United States, was advised and he verily believed and still believes that the executive power of removal from office confided to him by the constitution aforesaid includes the power of suspension from office at the pleasure of the President. And this respondent, by the order aforesaid, did suspend the said Stanton from office, not until the next meeting of the Senate, or until the Senate should have acted upon the case, but by force of the power and authority vested in him by the constitution and laws of the United States indefinitely and at the pleasure of the President; and the order in form aforesaid was made known to the Senate of the United States on the 12th day of December, A. D. 1807, as will be more fully hereinafter stated. And this respondent, further answering, says that in and by the act of February 13, 1795, it was among other things provided and enacted that, in case of vacancy in the office of Secretary for the Department of War, it shall be lawful for the President, in case he shall think it necessary, to authorize any person to perform the duties of that office until a successor be appointed or such vacancy filled, but not exceeding the term of six months; and this respondent being advised and beheving that such law was in full force and not repealed, by an order dated Angust 12, 1807, did authorize and enpower Ulysses & Grant, General of the Armies of the United States, to act as such secretary for the Department of war and interior, in the form in which similar authority had ther

1867, transmit to the Senate of the United States a message, a copy of which is hereunto annexed and marked B, wherein he made known the orders aforesaid and the reasons which had induced the same, so far as this respondent then considered it material and necessary that the same should be set forth, and reiterated his views concerning the constitutional power of removal vested in the President, and also expressed his views concerning the constitution of the said first section of the last mentioned act as respected the power of the President to remove the said Stanton from the said office of Secretary for the Department of War, well hoping that this respondent could thus perform what he then believed and still believes to be his imperative duty in reference to the said Stanton without derogating from the powers which this respondent delived were confided to the President by the constitution and laws, and without the necessity of raising judicially any question respecting the same. And this respondent, further answering, says that this hope not having been realized, the President was compelled either to allow the said Stanton to resume the said office and remain therein, contrary to the settled convictions of the President, formed as aforesaid, respecting the powers confided to him and the duties required of him by the constitution of the United States, and contrary to the object of the President, that he c uid no longer advise with or trust, or be responsible for the said Stanton or the said office, or the president, be lawful and necessary to raise for a judicial decision the questions affecting the lawful right of the said Stanton to regent the said Stanton to resume the said stanton, on the said stanton to resume the said office, or the president, be lawful and necessary to raise for a judicial decision the questions affecting the lawful right of the said Stanton to receive the said Stanton to the said office, or the president, be lawful and necessary to raise for a judicial decision the questions affecting t in possession of the said office of Secretary for the Department of War. He denies that the said Stanton, on the day last mentioned, was tawfully entitled to hold the said office against the will of the President of the United States. He denies that the said order for the removal of the said stanton was unlawfully issued. He denies that the said order was issued with intent to violate the act entitled "An act to regulate the tenure of certain civil officers." He denies that the said order was a violation of the last mentioned act. He denies that the said order was a violation of the long that the said order was a violation of the constitution of the United States, or of any law thereof, or of his oath of office, He denies that the said order was issued with an intent to violate the constitution of the United States, or only law thereof, or this respondent's oath of office, and he respectfully, but earnestly, insists that not only was it issued by him in the performance of what he believed to be an imperative official duty, but in the performance of what his honorable court will consider was, in point of fact, an imperative official duty, but in the performance of what his honorable court will consider was, in point of fact, an imperative official duty. And he denies that any and all substantive matter in the said first article, contained in manner and form as the same and therein stated and set forth, does by law constitute a high misdemeanor in office within the true intent and meaning of the constitution of the United States.

**Answer to Article 2.—And for answer to the second article this respondent says that he admits he did issue and deliver to said Lorenzo Thomas the said writing set forth in the said second article, bearing date at Washington, D. C., Pebrusry 21, 1808, adressed to Brevet Major General Lorenzo Thomas, Adjotant General United States Army, Washington, D. C., and he further admits that the same was so issued without the advice and consent of the Senate of the United States or the povisions

as the same are responsive to the alicrations contained in the said third article; and, without here again repeating the same answer, prays the same be taken as an answer to this third article as fully as if here again set out at length, and as to the new alicgation contained in said third article, that this respondent did appoint the said Thomas to be Secretary for the Department of War ad interim, this respondent denies that he gave any other authority to said Thomas than such as appears in said written authority so to the said article, in which he authorized and empowered said Thomas to act as Secretary for the Department of War ad interim, and he denies that the same amounts to an appointment, and insists that first on a confidence of or the Department of War ad interim, and in sists that first on a supposition of the confidence of the Department of War ad interior and an appointment should be made; but whether the said written authority amounts to any appointment should be made; but whether the said written authority amounts to any appointment of the confidence of the terms of the tribute of an appointment, in the constitution of the United States, or that he thereby intended to give the said order the character or effect of an appointment, in the constitution of legal sense of the term. He further denies that there was no vacancy in said office of Secretary for the Department of War existing at the date of said written authority.

Answer to Article 4.—And for answer to said fourth article this respondent denies that on the 21st day of February, 1885, at Washington aforesaid, or at any other time or place, he did unlawfully at the said. The said article his respondent denies that on the 21st day of February, 1885, at Washington aforesaid, or at any other time or place, he did unlawfully the said article his respondent of the Constitution of the United States, or of the provisions of the said states. The said article h

no altegation of any conspiracy initimidation or threats.

Answer to Article 5.—And for answer to the said fifth article this respondent denies that on the 21st day of February, 1868, or any other time or times in the same year before the said 2d day of March, 1868, or at any prior or subsequent time, at Washington aforesaid, or at any other place, this respondent did unlawfully conspire with the said Thomas, or with any other person or persons, to prevent or hinder the

the same year before the said 2d day of March, 1868, or at any prior or subsequent time, at Washington aforesaid, or at any other Piace, this respondent did unlawfully conspire with the said Thomas, or with any other person or persons, to prevent or hinder the execution of the said act, entitled "An act regulating the tenure of certain civil offices," or that, in pursuance of said alleged conspiracy, he did unlawfully attempt to prevent the said Edwin M. Stanton from holding said office of Secretary for the Department of War, or that he did thereby commit or that he was thereby guilty of a high misdemeanor in office. Respondent, protesting that said Stanton was not then and there Secretary of War, begs leave to refer to his answer given to the fourth article and to his answer given to the fourth article and to his answer given to the first article, as to his intent and purpose in issuing the orders for the removal of Mr. Stanton and the authority given to the said Thomas, and prays equal benefit therefrom as if the same were here again repeated and fully set forth.

And this respondent excepts to the sufficiency of the said fifth article, and states his ground for such exception, that it is not alleged by what means or by what agreement the said alleged conspiracy was formed or agreed to be carried out, or in what way the same was attempted to be carried out, or in what were the acts done in pursuance thereof.

Answer to Article 8.—And for answer to the said sixth article this respondent denies that on the said allst day of February, 1888, at Washington aforesald, or at any other time or place, he did unlawfully conspire with the said Thomas by force to seize, take or possess the property of the United States in the Department of War, contrary to the provisions of the said acts referred to in the said article, or either of them, or with intent to violate either of them. Respondent, profesting that said Stanton was not then and there Secretary for the Department of War, not only denies the said conspiracy as cha

and purpose in be premises.

Answer to Article 7.—And for answer to the said seventh article defendant denies that on the said 21st day of February, 1888, at Washington aforesaid, or at any other time and place, he did unlawfully conspire with the said Thomas with intent unlawfully to seize, take, or possess the property of the United States in the Department of War, with intent to violate, or disregard the said act in the seventh article referred to, or that he did then and there commit a high misdemeanor in office. Respondent, protesting that the said stanton was not then and there Secretary for the Department of War, again refers to his former answers in so far as they are applicable to show the intent with which he proceeded in the premises, and prays equal benefit therefrom as if the same were here again fully repeated. Respondent further takes exception to the sufficiency of the allegations of this article as to the conspiracy alleged upon the same grounds as stated in the exception set forth in his answer to said article fourth.

Answer to Article 8.—And for answer to the said eighth article this respondent denies that on the 21st day of February, 1868, at Washington aforesaid, or at any other time and place, he did issue and deliver to the said Thomas the said letter of authority set forth in the said Thomas the said letter of authority set forth in the said delpth article, with the intent unlawfully to control the disbursements of money appropriated for the military service and for the Department of

EXECUTIVE MANSION,

WASHINGTON, D. C., Feb. 22, 1885.

GENERAL—The President directs me to say that he wise pleased to have you call upon him as early as practicable Respectfully and truly yours.

WILLIAM G. MOORE, United States Army. Department of War or from any other quarter, and desired to ascertain the facts. After said Emory had explained in detail the changes which had taken place said Emory called the attention of respondent to a general order, which he referred to, and which this respondent then sent for, when it was produced. It is as follows:—

this respondent them sent for, when it was produced. It is as follows:—

WAS DEPARTMENT, ADJUTANT GENERAL'S OFFICE, WASHINGTON, D. C., March 14, 1957. Senteral Condenses of General Condenses of General Condenses of General Condenses of General Condenses of Condenses of General Condenses of Condenses of

leas than two nor more than twenty years upon conviction thereof in any court of competent jurisdiction.

Approved March 2, 1867.

By order of the SECRETARY OF WAR.

E. D. Townsend, Assistant Adjutant General.

General Emory not only called the attention of respondent to this order, but to the fact that it was in conformity with a section contained in an appropriation act passed by Congress. Respondent, after reading the order, observed:—"This is not in accordance with the constitution of the United States, which makes me Commander-in-Chief of the Army and Navy, or of the language of the commission which you hold." General Emory then stated that this order had met respondent's approval. Respondent them said, in substance:—"Am I to understand that the President of the United States cannot give an order but through the General-in-Chief, or General Graht-ff' General Emory again reiterated the statement that it had met respondent's approval, and that it was the opinion of some of the leading lawyers of the country that this order was constitutional. With some further conversation respondent then inquired the names of the lawyers who had given the opinion, and he mentioned the names of two. Respondent then said that the object of the law was very evident, referring to the clause in the Appropriation act, upon which the order purported to be based. This, according to the respondent's recollection, was the substance of the conversation with General Emory. Respondent denies that any allegations in the said article of any instructions or declaration given to the said Emory then or at any other time contrary to or in addition to what is hereinbefore set forth are true. Respondent denies that any allegations in the said article of any instructions or declaration given to the said Emory to violate said Emory; nor did he then or at any time request or order the said Emory to disobey any law or any other time contrary to or in addition to what is hereinbefore set forth are true. Respondent denies that any allegations in the

dent:—
TO THE HOUSE OF REPRESENTATIVES—The act entitled
"An act making appropriations for the support of the army
to the very radde, Jane 10, lets, and fur other purposes,"

Respondent, therefore, did no more than to express to said Emory the same opinion which he had so expressed to the House of Representatives.

Answer to Article 10.—And in answer to the tenth article and specifications thereon the respondent

speech and address of this respondent on said occasion, which this respondent denies that said article and specification contains or correctly or justly represents.

And this respondent further, answering the tenth article and the specifications thereof, says that at Cleveland, in the State of Ohio, and on the third day of September, in the year 1808, he was attended by a large assemblage of his fellow citizens, and in deference and obedience to their call and demand: he addressed them upon matters of public and political consideration, and this respondent believes that said occasion and address are referred to in the second specification of the tenth article; but this respondent does not admit that the passages therein set forth as if extracts from a speech of this respondent on said occasion correctly or justly present his speech or address upon said occasion, but on the contrary this respondent demands and insists that if this honorable court shall deem the said article and the said second specification thereof to contain allegations of matter cognizable by this honorable court as a high misdemeanor in office within the intent and meaning of the constitution of the United States, and shall receive or allow proof in support of the same, that proof shall be required to be made of the actual speech and address of this respondent on said occasion, which this respondent denies that said article and specification contains, or correctly or justly represents; and that his respondent denies that said article and specification contains, or correctly or justly represents; and indeference and obedience to their call and demand he addressed them upon matters of public and political consideration, and this respondent believes that said occasion and address are referred to in the third specification of the tenth article but this respondent does not admit that the passages therein set forth as if extracts from a speech of this respondent on said occasion correctly or justly presents; and this respondent in support of the sa by it duly and constitutionally enacies. This respondent further says that at all times he has in his official acts as President recognized the authority of the several Congress of the United States, act has been contended for president of the United States, and he has from time or the United States. At he has from time as President of the United States, communicated to Congress his views and opinions in regard to such acts or resolutions thereof, as being submitted to him as President of the United States, communicated to Congress his views and opinions in regard to such acts or resolutions thereof, as being submitted to him as President of the United States, in pursuance of the constitution, seemed to this respondent to require such communication, and he has from time to time, in the exercise of that freedom of speech which belongs to him as a citizen of the United States, and him is political relations as President of the United States, and the propiet of the United States, and the in such addresses to his fellow citizens, an expressed to his fellow citizens his views and opinions respecting the such addresses to his fellow citizens, an expressed his views, opinional of the two houses of Congress, and that his west, opinional of the two houses of Congress, and the views, opinional of the two houses of Congress, without representation therein of certain States of the Union, and the effect that, in wisdom and justice, and in the opinion and judgment of this respondent, Congress, in its legislation and proceedings should give to this poherical circumstance, and whatsoever he has thus communicated to Congress or addressed to his right and duly as President of the University of the Union, and the effect that, in wisdom and justice, and in the opinion and or recommendation of the Congress, in its legislation and proceedings should give to this poherical circumstance, and whatsoever he has the subject of the Congress of

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